

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

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GEORGE D. ARNESEN *et al.*

*Plaintiffs,*

v.

GINA RAIMONDO, *et al.*

*Defendants.*

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KAREN BELL *et al.*

*Plaintiffs,*

v.

GINA RAIMONDO, *et al.*

*Defendants.*

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No. 1:23-cv-00145-TBM-RPM

**JOINT MOTION TO ENTER BRIEFING SCHEDULE AND TO ENLARGE  
PAGE LIMITS**

The parties, by and through counsel, have met and conferred, and propose the following agreed-on schedule for briefing defendants' motion for summary judgment and response in opposition to plaintiffs' motion for preliminary injunction and in the alternative for summary judgment in the *Arnesen v. Raimondo* case and briefing the parties' cross-motions for summary judgment in the *Bell v. Raimondo* case:<sup>1</sup>

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<sup>1</sup> As *Arnesen* plaintiffs explained at the hearing on August 4, 2023, their position is that the motion for preliminary injunction or alternatively summary judgment is fully briefed and ready for decision by the Court. To the extent the Government wishes to file its own cross motion for summary judgment, however, and without suggesting that such a cross-motion is necessary for this Court to adjudicate *Arnesen* plaintiffs' pending motion, *Arnesen* plaintiffs consent to the schedule proposed in this filing.

<b>August 11, 2023</b>	Defendants file the administrative record and serve the administrative record on Plaintiffs.
<b>August 16, 2023</b>	Plaintiffs complete their review of the record and inform Defendants of any issues regarding the administrative record, which the parties will attempt to resolve without involving the Court.
<b>August 18, 2023</b>	Defendants respond to any concerns raised by Plaintiffs regarding the administrative record.
<b>August 23, 2023</b>	Defendants file any amendments to the administrative record agreed to by the parties <b>OR</b> Plaintiffs file any motion to supplement and/or complete the administrative record, if necessary. The filing of any motion to complete and/or supplement the administrative record will vacate the merits briefing schedule set forth below. Within 14 days of the resolution of any such motion, the parties will propose a new merits briefing schedule.
<b>August 31, 2023</b>	Defendants file combined cross-motion for summary judgment and opposition to <i>Arnesen</i> plaintiffs' motion in the alternative for summary judgment.
<b>September 8, 2023</b>	<i>Bell</i> plaintiffs file motion for summary judgment
<b>September 11, 2023</b>	<i>Arnesen</i> plaintiffs file combined opposition to Defendants' cross-motion for summary judgment and reply in support of <i>Arnesen</i> plaintiffs' motion in the alternative for summary judgment.
<b>September 18, 2023</b>	Defendants file reply in support of their cross-motion for summary judgment in <i>Arnesen</i> .

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As defendants explained in their opposition to *Arnesen* plaintiffs' motion for preliminary injunction or in the alternative for summary judgment, their position is that the *Arnesen* plaintiffs' alternative motion for summary judgment was "premature [] as the Service [had] yet to even lodge the administrative record. Just as in any administrative review case, an administrative record will allow the Court to continue its review of the Final Rule." ECF No. 15 at 12. Nevertheless, and without suggesting that the *Arnesen* plaintiffs' prior filing was appropriate, defendants consent to the schedule proposed in this filing.

<b>September 29, 2023</b>	Defendants file combined cross-motion for summary judgment and opposition to <i>Bell</i> plaintiffs' motion for summary judgment.
<b>October 20, 2023</b>	<i>Bell</i> plaintiffs file combined opposition to Defendants' cross-motion for summary judgment and reply in support of <i>Bell</i> plaintiffs' motion for summary judgment.
<b>November 9, 2023</b>	Defendants file reply in support of their cross-motion for summary judgment in <i>Bell</i> .

The parties also respectfully request leave to file briefs that exceed the page limits set by Local Civil Rule 7(b)(5). Defendants request that they be granted 50 pages of total briefing for their combined cross-motion for summary judgment and opposition to *Arnesen* plaintiffs' motion in the alternative for summary judgment. *Arnesen* plaintiffs respectfully seek leave to file a reply brief not to exceed 50 pages. *Bell* plaintiffs respectfully request leave to file a motion for summary judgment not to exceed 35 pages and combined opposition to Defendants' cross-motion for summary judgment and reply in support of *Bell* plaintiffs' motion for summary judgment not to exceed 25 pages. Defendants respectfully request leave to file a combined cross-motion for summary judgment and opposition to *Bell* plaintiffs' motion for summary judgment not to exceed 35 pages and reply in support of their cross-motion for summary judgment not to exceed 25 pages. Such relief would provide sufficient opportunity for the parties to respond to the range of issues raised and would also align the total briefing space allotted to each party, as envisioned by Local Civil Rule 7(b)(5).

A proposed order follows this motion, as required by Local Civil Rule 7(b)(2)(F).

Dated: August 22, 2023

Respectfully submitted,

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